

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

FAO No. 277/2006

Decided on: October 18, 2006

The New India Insurance Company Appellant.

VERSUS

Har Govind Sharma and others Respondents.

Coram

The Hon'ble Mr. Justice Surjit Singh, Judge.

***Whether approved for reporting?*¹**

For the Appellant : Mr. Praneet Gupta, Advocate.

For the Respondents : Nemo.

Surjit Singh, Judge (Oral)

Heard and gone through the record.

2. This appeal by the Insurance Company is directed against the award, under Section 163-A of the Motor Vehicles Act, in which the age of the deceased was 21 years and the claimants are his parents and, as per Second Schedule, multiplier of 16 years' purchase has been adopted.

3. Learned counsel for the Insurance Company says that multiplier should have been adopted taking into account the age of the parents. The contention is without merit. Section 163-A read with Second Schedule makes it plainly clear that the multiplier is required to be adopted taking into account the age of the deceased and not that of the claimants, as is the case when claim is made under Section 166 of the Motor Vehicles Act. Hence, the appeal is dismissed.

CMP No.1053/2006

Infructuous.

October 18, 2006(sd)

**(Surjit Singh)
Judge.**

Whether the reporters of the local papers may be allowed to see the Judgment?